



House of Representatives

General Assembly

File No. 596

February Session, 2018

Substitute House Bill No. 5561

House of Representatives, April 19, 2018

The Committee on Judiciary reported through REP. TONG of the 147th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

**AN ACT CONCERNING THE IMPOSITION OF PENALTIES FOR
REPEATED VIOLATIONS OF MUNICIPAL REGULATIONS AND
ORDINANCES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (10) of subsection (c) of section 7-148 of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2018*):

4 (10) (A) Make all lawful regulations and ordinances in furtherance
5 of any general powers as enumerated in this section, and prescribe
6 penalties for the violation of the same not to exceed two hundred fifty
7 dollars, unless otherwise specifically provided by the general statutes.
8 Such regulations and ordinances may (i) be enforced by citations
9 issued by designated municipal officers or employees, provided the
10 regulations and ordinances have been designated specifically by the
11 municipality for enforcement by citation in the same manner in which
12 they were adopted and the designated municipal officers or employees
13 issue a written warning providing notice of the specific violation

14 before issuing the citation, except that no such written warning shall
15 be required for violations of a municipal ordinance regulating the
16 operation or use of a dirt bike, all-terrain vehicle or mini-motorcycle,
17 and (ii) prescribe for increased penalties not to exceed five hundred
18 dollars to be imposed for a repeated violation of the same ordinance
19 within a one-year period that results in the issuance of a subsequent
20 citation;

21 (B) Adopt a code of ethical conduct;

22 (C) Establish and maintain free legal aid bureaus;

23 (D) Perform data processing and related administrative computer
24 services for a fee for another municipality;

25 (E) Adopt the model ordinance concerning a municipal freedom of
26 information advisory board created under subsection (f) of section 1-
27 205 and establish a municipal freedom of information advisory board
28 as provided by said ordinance and said section;

29 (F) Protect the historic or architectural character of properties or
30 districts that are listed on, or under consideration for listing on, the
31 National Register of Historic Places, 16a USC 470, or the state register
32 of historic places, as defined in section 10-410.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2018	7-148(c)(10)

JUD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 19 \$	FY 20 \$
Various Municipalities	Revenue Gain	Potential	Potential

Explanation

The bill allows municipalities to levy a fine of up to \$500 for multiple offenses of municipal ordinances that occur in a single year. This results in a revenue gain to municipalities that choose to implement this fine, which will vary based on the number of violations that occur.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of municipal ordinance violations.

OLR Bill Analysis**sHB 5561*****AN ACT CONCERNING THE IMPOSITION OF PENALTIES FOR REPEATED VIOLATIONS OF MUNICIPAL REGULATIONS AND ORDINANCES.*****SUMMARY**

Current law caps at \$250, unless statute specifies otherwise, the fine a municipality may levy for an initial and any subsequent violations of a regulation or ordinance. This bill allows the municipality to raise the cap to \$500 for second and subsequent violations of the same ordinance that occur within one year of the preceding violation.

Under existing law, unchanged by the bill, individuals fined up to \$250 by municipalities that lack a local citation hearing procedure may pay the fine without having to appear in court, in accordance with the mail-in procedures for violations (CGS § 51-164n(b)). Such individuals fined above \$250 must appear in Superior Court whether or not they are contesting the fine.

EFFECTIVE DATE: October 1, 2018

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 34 Nay 7 (04/03/2018)